THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.18907 of 2006

ORAL ORDER:

The petitioner is a temporary dealer appointed against Fair Price Shop of Kadirivandlapalli, H/o Vandadi, Chinnamandem mandal, Kadapa district. However, his authorisation was suspended by the impugned proceedings dated 8.9.2006.

While admitting the writ petition on 12.9.2006, this Court granted interim suspension of the impugned order. However, it was made clear that this will not preclude the authorities from conducting a detailed enquiry into the allegations made in the impugned proceedings and passing appropriate orders as per law.

Now a vacate stay petition along with counter is filed denying the allegations made by the petitioner and further asserting that the petitioner is only a temporary dealer, therefore he has no right even to approach this Court.

The impugned order dated 8.9.2006 does not show any specific allegations made against the petitioner. It simply states that the dealer has not maintained the sales and stocks registers and not exhibited stock- cum-sales board and distributed Rice to the cardholders 16 kgs. instead of 20 kgs. and violated the conditions of Control Order, 2001 and he also selling the essential commodities at higher rates than fixed by the Government. Except these averments, no specific allegations are made as to whom the petitioner sold the commodities at higher rates and no details were furnished while suspending the authorisation of the petitioner.

In view of the above, I deem it appropriate to set aside the impugned order as the same does not stand the scrutiny of law.

In the result, the writ petition is allowed and the impugned order

dated 8.9.2006 is set aside. However, the respondents are at liberty to conduct a detailed enquiry into the matter and pass appropriate orders as per law. If for any reason, the term of the temporary dealership is completed, it is for the respondents either to continue the dealer further or not, as per law. No order as to costs.

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C.V.RAMULU,
J

Date: 9.11.2006

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THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.18907 of 2006

9.11.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.18907 of 2006

Date: 9th November, 2006

Between:

C.Kesava Reddy

.. Petitioner

And

The Government of A.P., rep. by its
District Collector, Kadapa, Kadapa district
and 2 others.

.. Respondents